



20 N. Swinton Avenue  
Delray Beach, FL  
33444

Agenda Item: # 10.G.  
May 11, 2017

**REVISED**  
~ CRA BOARD SUMMARY ~  
**SECOND AMENDMENT TO CRA/CITY INTERLOCAL AGREEMENT FOR FUNDING  
CONSTRUCTION/PROFESSIONAL SERVICES FY 2016-2017**

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At its meeting of September 22, 2016, the CRA Board adopted the FY 2016-17 Budget and approved the Interlocal Agreement with the City of Delray Beach for funding of Joint Projects for Fiscal Year 2016-2017. Per the Agreement, funds will be transferred to the City at the time that a contract is awarded or service authorization (consultant agreement) is approved for each project. The City Commission approved the Interlocal Agreement (ILA) on November 1, 2016. On January 26, 2017, Amendment #1 to the ILA was approved consistent with Budget Amendment #1 (Resolution 2017-01) to reflect funding increases based on updated design costs, construction cost estimates, and/or actual construction costs. On March 3, 2017, the City Commission approved Amendment #1 to the ILA for funding of Construction/Professional Services for Fiscal Year 2016-2017.

On April 13, 2017, the CRA approved Amendment #2 to the ILA for funding of Construction/Professional Services for Fiscal Year 2016-2017 to fund the cost of two condenser coils in the OSS Fieldhouse building air handler unit on April 13, 2017 (GL # 5202, \$25,000). City Commission has not taken action on this amendment to the ILA; therefore, this update incorporates changes based on discussions concerning the Old School Square air conditioning replacement as well as changes related to other CIP projects.

Consistent with Budget Amendment #2 for FY 2016-17, the following summarizes the line items that were modified based on updated design, construction administration costs, construction cost estimates, project schedule adjustments, and/or actual construction costs.

- #2 – SW 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> Avenues Improvements (Atlantic–SW 1st St) (GL #5132) – Decreased (\$100,000) since project is removed from CIP project pending results of 600-800 W. Atlantic Avenue RFPs.
- #4 – Old School Square Building Maintenance (CIP) (GL #5202) – Increased (~~\$705,000~~ \$657,000) for replacement of the for related building maintenance including air conditioning systems and termite fumigation for the complex associated with the previous exterior renovations last fiscal year.
- #6 – Parking Study Implementation (E. Atlantic Avenue Crosswalk Upgrades - Venetian/Gleason) (GL #5235) – Increased (\$74,000) for consultant fees for construction administration associated with construction of crosswalks.
- #12 – SE 2nd St/Ave/Alleys/Parking Lot (Osceola Business Area) (GL # 5520) – Project is under construction and the expense is decreased (\$404,624 ~~389,624~~) to reflect the contract amount based on modification to project scope of work, resulting in an approved deductive change order for a revised project cost of \$1,495,376 1,510,376.
- #14 – NE 3rd St/Ave Streetscape & Alley Improvements (GL #5251) – Added (\$14,000) to CRA budget for additional survey costs for easements.
- #17 – Hilltopper Stadium Elevator (GL #5662) – Decreased expenses by \$70,000 for a total project cost of \$45,000, based on actual costs for the elevator.
- #18 - SW 4<sup>th</sup> St/SW 6<sup>th</sup>/SW 7<sup>th</sup> Ave Reconstruction (GL # 5351) – Added \$580,700 for estimated design fees to the CRA budget and removed the funding for design from projects financed by the City.
- #19 – Osceola Neighborhood Improvements (Design) (GL # 5510) – Added \$837,870 for estimated design fees to the CRA budget and removed the funding for design from projects financed by the City.
- (Added) #21 - West Atlantic Beautification/ I-95 Interchange Modifications (CIP) (G/L #5122) – This is an FDOT project that includes placement of the existing crosswalks west of the intersection NW/SW 10<sup>th</sup> Avenue west to NW/SW 12<sup>th</sup> Avenue, and includes relocation/installation of two (2) decorative light poles (cost difference from standard FDOT light pole) (\$33,891)

The adopted FY 2016-17 CRA Work Plan will be changed accordingly.

**Recommended Action:**

Approve the Second Amendment to the Interlocal Agreement with the City of Delray Beach for funding of Construction/Professional Services for Fiscal Year 2016-17.

**Submitted By:** Thuy Shutt, Assistant Director

Attachment: Amendment No. 3 to Interlocal Agreement between the City & CRA for Construction/Professional Services FY 2016-17

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**SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF DELRAY BEACH AND THE  
DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY  
FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES  
FY 2016-2017**

**THIS SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT FOR FUNDING OF CONSTRUCTION/PROFESSIONAL SERVICES ("SECOND AMENDMENT")** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the **CITY OF DELRAY BEACH**, a Florida municipal corporation, (hereinafter referred to as "**CITY**"), and the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic, duly created and operated pursuant to Chapter 163, Florida Statutes (hereinafter referred to as the "**CRA**").

**WITNESSETH:**

**WHEREAS**, the **CITY** and the **CRA** entered into an Interlocal Agreement for the Funding of Construction/Professional Services for Fiscal Year 2016-2017, on November 1, 2016 (the "Original Agreement"), which provided for funding for construction and professional services for projects within the Community Redevelopment Area; and

**WHEREAS**, on March 3, 2017, the **CRA** and the **CITY** entered into the First Amendment to the Original Agreement to provide for changes in the amount of funding for the projects listed in **Exhibit "A"** of the Original Agreement; and

**WHEREAS**, the **CRA** and the **CITY** desire to enter into this Second Amendment to the Original Agreement (the "Second Amendment") in order to amend **Exhibit "A"** to the Original Agreement, to provide for changes in the amount of funding for various projects listed in **Exhibit "A"** of the Original Agreement including the Old Square Field House Building project.

**NOW, THEREFORE**, in consideration of the mutual covenants and promises herein contained, the parties hereby agree as follows:

1. The recitations set forth above are hereby incorporated herein.
2. The **CRA** and the **CITY** agree to amend **Exhibit "A"** to the Original Agreement, to reflect the changes in the amount of funding provided by the **CRA** for Fiscal Year 2016-17 for the projects listed in **Exhibit "A"** to the Original Agreement. The revisions to Exhibit "A", are consistent with the CRA's Budget Amendment No. 2 for FY 2016-17.
3. Subject to the availability of funds, and annual budgeting and appropriation by the **CRA**, the **CRA** will provide additional funding for the projects listed in **Exhibit "A"** in Fiscal Year 2016-17.
4. The **CITY** and the **CRA** agree that **Exhibit "A"** to the Original Agreement is hereby amended as provided in **Exhibit "A"** to this Second Amendment, which is attached hereto and incorporated herein by reference.

5. All other terms and conditions of the Original Agreement not in conflict with this Second Amendment shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this agreement to be executed on the day and year first above written.

ATTEST: CITY OF DELRAY BEACH, FLORIDA

\_\_\_\_\_  
CITY CLERK

By: \_\_\_\_\_  
CARY D. GLICKSTEIN, MAYOR

Approved as to Form:

\_\_\_\_\_  
CITY ATTORNEY

ATTEST: DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY

\_\_\_\_\_  
JEFF COSTELLO,  
EXECUTIVE DIRECTOR

By: \_\_\_\_\_  
REGINALD A. COX, CHAIR

(SEAL)

STATE OF FLORIDA            )  
  )    SS:  
COUNTY OF PALM BEACH )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2017, by \_\_\_\_\_, as \_\_\_\_\_ (name of officer or agent, title of officer or agent), of \_\_\_\_\_ (name of corporation acknowledging), a \_\_\_\_\_ (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.

\_\_\_\_\_  
NOTARY PUBLIC – STATE OF FLORIDA

## EXHIBIT "A"

Fiscal Year 2016-2017 Projects			
	City Project #	Project Name	Amount of CRA Funding
1.	2014-002	Block 8 Alley (South of W Atlantic Ave - SW 10 <sup>th</sup> /11 <sup>th</sup> Aves)	\$ 230,000.00
2.	2016-654	SW 6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> & 9 <sup>th</sup> Ave Improvements (Atlantic-SW 1 <sup>st</sup> St)	\$ 100,000.00 <u>\$ 0.00</u>
3.	2016-596	Old School Square Park Upgrades	\$ 500,000.00
4.	<u>2016-004</u>	<u>Old School Square Field House Building Maintenance</u>	<u>\$ 657,000.00</u>
5.	2013-022	S Swinton Ave & SW/SE 1st Street (Mast Arm Traffic Signal)	\$ 250,000.00
6.	2014-008	Parking Study Implementation (E. Atlantic Avenue Crosswalk Upgrades - Venetian/Gleason)	\$ 366,000.00 <u>\$ 440,000.00</u>
7.	2014-069	Parking Study Implementation - Wayfinder Signage	\$ 150,000.00
8.	2012-051	Swinton & Atlantic Intersection	\$ 300,000.00
9.	2016-676	SW 2 <sup>nd</sup> Street Beautification (Phase II)	\$ 210,000.00
10.	2015-610	Block 63 Alley	\$ 265,000.00
11.	2015-620	SW Neighborhood Alleys (5 Alleys)	\$ 910,000.00
12.	2013-020	SE 2 <sup>nd</sup> St/Ave/Alleys/Parking Lot (Osceola Business Area)	\$ 1,900,000.00 <u>\$ 1,510,376.00</u>
13.	2014-006	Sidewalks – NW/SW Neighborhoods	\$ 630,000.00
14.	2011-024	NE 3 <sup>rd</sup> St/Ave Streetscape & Alley Improvements	\$1,600,000.00* <u>\$ 14,000.00**</u>
15.	2015-040	NW 5 <sup>th</sup> Ave Alleys (3 Alleys)	\$ 400,000.00
16.	2009-006	Block 20 Alley Improvements	\$ 75,000.00
17.	2016-101	Hilltopper Stadium Elevator	\$ 115,000.00 <u>\$ 45,000.00</u>
18.	2016-500	SW 4 <sup>th</sup> St/SW 6 <sup>th</sup> St/SW 7 <sup>th</sup> Ave Reconstruction	<u>\$ 580,700.00</u>
19.	2016-095	Osceola Neighborhood Improvements (Design)	<u>\$ 837,870.00</u>
20.	2016-102	Pompey Park Master Plan	\$ 800,000.00*
21.		<u>W Atlantic Beautification/I-95 Modification</u>	<u>\$ 33,891.00</u>

\*City Financed – CRA to pay debt service annually

\*\*CRA to provide additional funds for design costs